

JOHNNY THOMAS ORTIZ II, *et al.*,
Plaintiffs,

v.

NORTH CAROLINA STATE BOARD
OF ELECTIONS, *et al.*,
Defendants.

On August 12, 2024, this Court granted in part and denied in part Plaintiffs' motion for a preliminary injunction, thereby placing Dr. Cornel West and the Justice for All Party on the November 2024 election ballot in North Carolina [DE 55]. Currently pending before the Court is Plaintiffs' motion for an award of attorneys' fees and costs [DE 61]. Defendants have filed two motions seeking an extension of time in which to respond [DE 63 & DE 64]. Also pending before the Court is Plaintiffs' motion to appear without local counsel [DE 46].

Federal Rule of Civil Procedure 6(b) empowers the court to extend a deadline for good cause “with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.” The granting of a motion for an extension therefore requires (1) a showing of good cause, and (2) that the request for the extension be made before the original deadline expires.

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time to further analyze the law and engage in discussions about a potential out-of-court resolution [DE 63 at 2]. Further, this motion is not opposed by the Plaintiffs [DE 63 at 3]. For these reasons, the Court determines that good cause exists to extend this deadline, and the motion to extend will be granted.

Second, Defendants have moved for an extension of time in which to file an answer or otherwise respond to Plaintiffs' and Plaintiff-Intervenors' complaints [DE 64]. This motion was made prior to the previous deadline of December 2, 2024, and Defendants' counsel state that additional time is required to prepare a response due to limited client availability and the impending holidays [DE 64 at 3]. Further, this motion is not opposed by the Plaintiffs [DE 64 at 3]. For these reasons, the Court determines that good cause exists to extend this deadline, and the motion to extend will be granted.

Also before the Court is Plaintiffs' motion to appear without local counsel [DE 46] at a hearing scheduled for July 30, 2024. Though this motion has not yet been ruled on, Plaintiffs' counsel was recognized by the Court and permitted to speak at the hearing itself. As such, the motion to appear without local counsel for the purposes of the July 30, 2024, hearing is, here and now, granted.

CONCLUSION

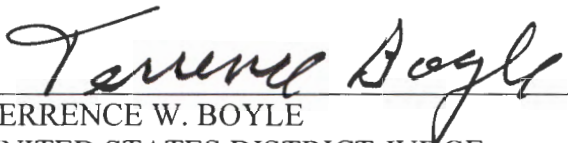
For good cause shown, Defendants' motion for an extension of time [DE 63] in which to respond to Plaintiffs' motion for attorneys' fees and costs is GRANTED. The deadline shall be extended by sixty (60) days, and Defendants shall have up to and including January 17, 2025, to file a response.

For good cause shown, Defendants' motion for an extension of time [DE 64] in which to file an answer to Plaintiffs' and Plaintiff-Intervenors' complaints is GRANTED. The deadline shall

be extended by thirty (30) days, and Defendants shall have up to and including January 2, 2025, to file an answer or other response.

Plaintiff's motion for leave to appear without local counsel [DE 46] is GRANTED.

SO ORDERED, this 13 day of December 2024.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE